

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RALINK TECHNOLOGY CORP.,
Plaintiff,
v.
LANTIQ, DEUTSCHLAND GMBH,
Defendant.

Case No.: C 11-1549 EJD (PSG)

**ORDER DENYING MOTION TO
SHORTEN TIME FOR THE COURT
TO HEAR RALINK'S MOTION TO
COMPEL DISCOVERY AND
ENFORCE SUBPOENA TO SANJAY
KASTURIA**

On June 13, 2011, Plaintiff Ralink Technology Corporation ("Ralink") filed a motion to compel and a motion to shorten time for hearing the motion to compel. Ralink requests the motion to compel be heard at the earliest possible date. Because the motion relates to a discovery matter, the motion is referred to the undersigned pursuant to the San Jose Judges' Standing Order dated March 25, 2011.

An order shortening time on a motion necessarily delays resolution of other matters pending before the court. Because a motion for such an order is effectively a request to jump the line, good cause is required.¹ Here, Ralink argues that "[u]nder Civil Local Rule 7-2, Ralink's Motion cannot be heard until nearly six months from now" and that such a long delay would prejudice Ralink. Civ. L.R. 7-2 requires that a motion be noticed "for hearing not less than 35 days


¹ See Fed. R. Civ. P. 6(c)(1)(C); *see also* Civ. L.R. 6-3(a)(3) (requiring a declaration in support of a motion to shorten time identify "the substantial harm or prejudice that would occur if the Court did not change the time.").

1 after service of the motion.” Ralink has not provided any explanation for its claim that Rule 7-2
2 would result in a six-month delay rather than the 35-day delay required by the rule. Accordingly,

3 IT IS HEREBY ORDERED that Ralink’s motion to shorten time is DENIED.

4 IT IS FURTHER ORDERED that Ralink shall notice its motion to compel for hearing by
5 the undersigned pursuant to Civ. L.R. 7-2.

6 Dated: June 17, 2011

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9 PAUL S. GREWAL
10 United States Magistrate Judge
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